THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.11851 of 2007

12.6.2007

Between:

G.Purushothama Rao, S/o.China Perraju

… Petitioner

AND

The Special Officer, Competent Authority,
Urban Land Ceiling, Nampalli, Hyderabad
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

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ORDER:

The land in survey Nos.195, 200 to 202 and 204 to 207 of Kondapur village in Ranga Reddy District, was declared as surplus vacant land under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976 (the Act, for brevity). The petitioner along with others purchased house site admeasuring 408 Sq.yards being plot Nos.908 and 909 in a layout known as Sriram Nagar Colony in the said survey numbers. The sale was by way of registered sale deed dated 16.12.1989. As the land was declared surplus vacant land, Government took possession of the same. Therefore, the petitioner along with others applied to the Government under G.O.Ms.No.455, dated 29.7.2002, requesting regularization/allotment of land under Section 23(4) of the Act. The proposals were processed by the first respondent and a report was submitted. Considering the same, the Government issued G.O.Ms. No.591, dated 24.5.2006, allotting the land admeasuring 334.45 Sq.mts in plot Nos.908B and 909B to the petitioner and different extents of lands to as many as 92 others. The petitioner alleges that as directed by the Government in the G.O.Ms.No.591, first respondent did not issue necessary documents to the petitioner. Therefore, he filed the instant writ petition seeking a direction to the respondents 1 and 2 to issue all the documents as per G.O.Ms.No.591.

After hearing learned Counsel for petitioner and learned Assistant Government Pleader for Revenue (Urban Land Ceiling), this Court is of considered opinion that the writ petition seeking a direction to respondents 1 and 2 to issue documents to the petitioner cannot be entertained. The G.O.Ms.No.591 is categorical in allotting the specified extent of land to the petitioner. Though it is mentioned therein that the Special Officer and Competent Authority is required to

furnish a copy of the G.O.Ms.No.591 along with a sketch, non-furnishing of the same does not in any way affect the right of the petitioner. Indeed as rightly pointed out learned Assistant Government Pleader, in the absence of the said G.O., purchase by the petitioner and right if any would not be void having regard to Section 5(2) of the Act and G.O.Ms.No.591 itself. Even if the documents are not furnished to the petitioner, it does not affect his right to the property allotted by the Government as per G.O.Ms.No.591. If there is any doubt regarding the identity of the plot and area thereof, it is open for the petitioner to seek appropriate relief by approaching the first respondent.

The writ petition is misconceived and is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

June 12, 2007.
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